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UNITED STATES DISTRICT COURT FOR THE  
 NORTHERN DISTRICT OF CALIFORNIA

JAVIER GOMEZ,  
 LETICIA HERNANDEZ DE GOMEZ,  
  
 Plaintiffs,  
  
 v.  
  
 U.S. DEPARTMENT OF HOMELAND  
 SECURITY ET AL.,  
  
 Defendants.

No. C 06-07221 EMC

MOTION FOR VOLUNTARY  
 DISMISSAL AND ~~[PROPOSED]~~  
 ORDER

Pursuant to Civil Local Rule 7, Plaintiffs Javier Gomez et al., through counsel, request that their mandamus complaint currently pending before the Court be dismissed without prejudice. Subsequent to the filing of this mandamus complaint, counsel for petitioners was informed that Ms. Hernandez de Gomez's applications for I-601 and I-212 waivers have been adjudicated. Therefore, Plaintiffs are no longer alleging that the U.S. Citizenship and Immigration Services is illegally delaying the adjudication of Ms. Hernandez de Gomez's waiver applications.

WHEREFORE, Plaintiffs pray that this Court allow them to voluntarily dismiss their mandamus complaint, without prejudice.

1 DATED: January 19, 2007

/s/

2 Robert B. Jobe  
3 LAW OFFICE OF ROBERT JOBE  
4 550 Kearny Street, Ste. 200  
5 San Francisco, CA 94108  
6 (415) 956-5513

7 Attorney for Plaintiffs

8 **[PROPOSED] ORDER**

9 IT IS HEREBY ORDERED that Plaintiffs' motion for dismissal of the action without  
10 prejudice be granted.

11 DATED: January 22, 2007

12 EDWARD  
13 UNITED S

